

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
HATTIESBURG DIVISION**

**PATRICIA F. FARVE**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 2:09cv77-KS-MTP**

**COMMISSIONER OF SOCIAL SECURITY,  
*Michael Astrue***

**DEFENDANT**

**SECOND AMENDED ORDER ACCEPTING MAGISTRATE JUDGE'S  
RECOMMENDATION DENYING DEFENDANT'S MOTION TO DISMISS FOR  
FAILURE TO PROSECUTE PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE  
41(B)**

BE IT REMEMBERED that an [13] Amended Order Accepting Magistrate Judge's Recommendation Denying Defendant's [10] Motion to Dismiss For Failure to Prosecute was previously entered in this case; and

THAT said order, though error and inadvertence, neglected to state that the Plaintiff is to be given thirty days from the entry of this Order to file her dispositive motion and memorandum in accordance with the [9] Standing Local Order, and that her failure to proceed timely with her case could result in its dismissal; and

THAT this Order does hereby amend the previous order, Docket Entry #13, to add same.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Report and Recommendation entered by Magistrate Judge Michael T. Parker on the 29th day of May, 2010, be and the same is hereby adopted by this Court and Defendant's Motion to Dismiss for Failure to Prosecute is denied. Further, Plaintiff shall be given thirty days from the date of this Order to file her dispositive motion and memorandum in accordance with the Standing Local Order (*see* Docket Entry #9), and failure to proceed timely with this case could result in its dismissal.

SO ORDERED on this the 16th day of June, 2010.

*s/Keith Starrett*

UNITED STATES DISTRICT JUDGE